



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Customer Number: 53080
Tsutomu OHZUKU, et al. : Confirmation Number: 9492
Application No.: 10/629,815 : Group Art Unit: 1795
Filed: July 30, 2003 : Examiner: LEE, CYNTHIA K
For: POSITIVE ELECTRODE ACTIVE MATERIAL AND NON-AQUEOUS
ELECTROLYTE SECONDARY BATTERY CONTAINING THE SAME

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee.

REQUEST TO CONSIDER REFERENCES AFTER CLOSE OF PROSECUTION AND
BEFORE PAYMENT OF ISSUE FEE

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached form PTO-1449. It is respectfully requested that the references be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom. Please charge the processing fee under 1.17(p) of **\$180.00** to Deposit Account 500417.

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CERTIFICATION PARAGRAPH

The undersigned certifies that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR 1.97(e)(2).

Each reference was cited in a Japanese Office Action or European Search Report and its relevance discussed therein. Copies of the Japanese Office Action and European Search Report are attached for the Examiner's information. Please note that **US 2003/0170540** has been previously cited in an Information Disclosure Statement filed on February 20, 2007

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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